

The Honorable Governor/Assemblymember/Senator
State Capitol, Room
Sacramento, CA 95814

Dear :

Enclosed is the Delta Protection Commission's annual report for calendar year 1998. This has been a hallmark year for the Commission, with the extension of the sunset date from January 1, 1999 until January 1, 2010. Support from the Delta community and the Legislature for the extension of the sunset date underscore the value of the Commission in overseeing land use changes in the Delta Primary Zone, providing a tool for enhanced communication between decision-makers in and around the Delta, and providing a unique forum for the public to air issues of regional concern.

As the CALFED Statewide planning program proceeds, the Delta continues to be in the news. The 500,000 acre Delta Primary Zone is the critical area where most of the State's water supply begins its journey to far reaches of the State. The Delta waters are critical for aquatic and terrestrial wildlife habitat, as a water source for local communities and farmers, and as playground for much of the State's anglers and boaters.

Local government-approved land use changes in the Delta Primary Zone in 1999 have been minimal and local government actions have been in conformance with the Commission's Land Use and Resource Management Plan for the Primary Zone of the Delta, and the Counties' General Plans. No local government actions were appealed to the Commission. This year there were several subdivisions--all conforming to or conditioned to ensure continuation of agriculture; land use permits allowed renovation of existing marinas and construction of guest docks in two Delta communities; permits authorized extraction of natural resources--natural gas and sand--under conditions to protect long-term viability of agriculture; and permits authorized construction of two wineries that will process the bounty of the vineyards which are increasing on the higher elevation lands on the edge of the Delta.

Two acquisition projects will result in change of use from agriculture to wildlife habitat. One project is within the boundary of the Stone Lakes Wildlife Refuge in northern Sacramento County. A second project is the acquisition of a conservation easement by State and Federal agencies which will result in an 800 acre farm on Tyler Island being managed as a seasonal wetland; no commercial agriculture will be allowed.

The Commission and staff continue to be very involved in the CALFED planning process, spending hundreds of hours in meetings and reviewing documents and reports. The Commission adopted comments on the Draft Programmatic Environmental Document, acknowledging the challenge before CALFED and providing ideas for prioritizing habitat restoration projects that would protect existing agricultural practices and values in the Primary Zone.

Please feel free to call me, or the Commission's Executive Director, Margit Aramburu, for any additional information, a copy of the regional plan, or a briefing.

REPORT TO THE GOVERNOR AND THE LEGISLATURE ON 1998 ACTIVITIES OF THE DELTA PROTECTION COMMISSION

Section 29780 of the Delta Protection Act of 1992 (Act) requires the Delta Protection Commission (Commission) to submit an annual report to the Governor and the Legislature describing the progress in achieving the objectives of the Act. The annual report is to include an evaluation of the effectiveness of the regional plan in preserving agricultural lands, restoring Delta habitat, improving levee protection and water quality, providing increased public access and recreational opportunities, and undertaking other functions prescribed in the Act; an update of the regional plan using baseline conditions set forth in the regional plan; and the status of the environmental thresholds established by the Commission in the original regional plan.

Status of the Delta Protection Commission

The Commission was created by the State Legislature in 1992 with the goal of developing regional policies for the Delta to protect and enhance the existing land uses in the Primary Zone: agriculture, wildlife habitat, and recreation. By working closely and thoughtfully with the local communities and the local governments, the Commission was able to adopt its regional plan in 1995. Local government incorporation of the policies and one regulation in the Plan was completed this year.

One of the most important events in 1998 was the approval and signing into law of SB 1075 (Johnston), an extension of the Commission's sunset date from January 1, 1999 until January 1, 2010. The Commission requested the time extension to allow continuing oversight of land use changes in the Delta Primary Zone, needed due to continuing urbanization in the Secondary Zone that may place the Primary Zone under pressure to be developed; to provide a unique forum for discussion of issues of Deltawide concern, to provide an opportunity for consensus based decision making including State agencies, local governments, and special districts; and to provide the general public a forum to raise issues of concern.

The Commission has also been active in an advisory capacity monitoring the State and federal CALFED process, and the proposed impacts to land uses in the Delta Primary Zone. The Commission has been asked by CALFED to serve as a public forum for review of projects that could have a permanent impact to land use, such as projects to convert agricultural land to tidal or managed wetland habitat. To address this expanded role of the Commission, the recent amendment to the Act states "The Commission may act as the facilitating agency for the implementation of any joint habitat restoration or enhancement programs located within the primary zone of the delta" (Public Resources Code, Section 29756.5)

Status of the Land Use and Resource Management Plan:

1. Amendment of the Plan and Local Government General Plan Amendments:

In January 1997, the Office of Administrative Law approved the Commission's action adopting Utilities and Infrastructure Policy P-3 as a regulation. The regulation states:

New sewage treatment facilities (including storage ponds) and new areas for disposal or use of sewage effluent and sewage sludge shall not be located within the Delta Primary Zone. The Rio Vista project, as described in the adopted Final Environmental Impact Report for such project, and the Ironhouse Sanitary District use of Jersey Island for disposal of treated wastewater and biosolids are exempt from this policy.

During 1998, the Commission continued to review submittals from local governments regarding the local government General Plan conformance with the newly approved regulation.

In January, the Commission reviewed the submittal from San Joaquin County which indicated that the County had adopted a sludge prohibition ordinance which ensures conformance with the Commission's regulation which prohibits placement of sewage treatment facilities and biosolids in the Primary Zone (Utilities and Infrastructure Policy P-3). The Commission concurred with the County's submittal.

In January, the Commission also reviewed the submittal from the City of Rio Vista on the same matter. The City's General Plan ensures that the City will conform to the Commission's adopted regulation. Again, the Commission concurred with the submittal of the City.

In March, the Commission reviewed, and in May voted to accept, the submittal from Sacramento County regarding conformance with the new regulation. The County proposed an amendment to its General Plan to include Utilities and Infrastructure Policy P-3 as part of the Delta Plan incorporated by reference into the County's General Plan.

In May, the Commission reviewed the submittal of Solano County regarding conformance with the new regulation. The County amended its Biosolids Ordinance in March to prohibit placement of sludge in the Primary Zone. The Commission agreed with the County's finding that its General Plan is in conformance with the amended Delta Plan.

2. Creation of a New Local Government Located Partially in the Primary Zone:

In July, the Commission reviewed the proposal to create a new city in Contra Costa County, partially in the Primary Zone. The proposed City of Oakley was approved in November, and will become a city on July 1, 1999. The Commission voted to support an amendment to the Act to include the City of Oakley as one of the local governments which must ensure that its General Plan is in conformance with the Commission's adopted regional land use plan.

Effectiveness of the Plan:

1. Preserving Agricultural Land in the Primary Zone.

Actions to preserve agricultural land continue on three fronts: non-profit groups, local governments, and the State. Non-profit groups exist in all five Delta Counties with the goal of protecting agricultural lands through acquisition of agricultural easements. While a few conservation easements have been acquired in the past, none were acquired in 1998.

Local governments continue to protect agricultural land through their General Plans and zoning ordinances. Sacramento County amended its zoning code to allow wineries in agricultural zones; the Board of Supervisors decided that the wineries are processing facilities for agricultural products and would support long-term health of agriculture in the County (July 1998). Other Delta counties allow wineries in agricultural zones.

The State of California has continued its Agricultural Land Stewardship Grant program for local governments and non-profits for acquisition of agricultural conservation easements. In 1998, \$1.87 million was available for acquisition of easements and for planning grants; none of the funds were distributed to Delta local governments or non-profits.

2. Conversion of Agricultural Land in the Primary Zone to Habitat.

In 1998, the largest potential impact to agricultural lands in the Primary Zone is proposals to restore/recreate habitat on agricultural lands. The CALFED program includes an aggressive program of habitat restoration. The Commission adopted and submitted written comments on the Programmatic Environmental Impact Statement/Environmental Impact Report in March. The Commission's comments support using publicly-owned lands for restoration before additional privately owned lands are acquired; habitat enhancement should take place on water-covered lands; the issue of the amount of water needed for habitat versus the amount of water needed for agriculture and the source of that new water should be addressed; the issues of impacts to water quality, particularly possible salinity intrusion, needs to be addressed; CALFED should work with private landowners to assist them implement best management practices for seasonal habitat; restoration projects should ensure that water quality and adjoining land uses are not adversely impacted; issues of impacts to the economy should be evaluated; and the issue of mitigation for loss of agriculture lands should be addressed.

Habitat Enhancement projects throughout the Delta are still pending including: Proposals by Department of Water Resources to convert much of Sherman and Twitchell Islands to managed wetlands; a multi-agency proposal to convert Prospect Island to aquatic habitat; and the Delta Wetlands project which would convert much of Bouldin and Holland Islands to managed wetland habitat and convert Webb and Bacon Islands to reservoirs.

The U.S. Fish and Wildlife Service's Stone Lakes Wildlife Refuge is proposed to ultimately have 9,000 acres of land to the north of Lambert Road in public ownership and 9,000 acres south of Lambert Road in private ownership managed under agreements with the Service. In the north, approximately 6,000 acres are in public ownership by State and local governments and approximately 1,000 acres are owned by the Service. This includes a 50 acre site which will be donated to the Refuge as mitigation for a wetland fill project out of the Delta (April). In 1998, the Service and Sacramento County adopted a management agreement for the County's 1,567 acres within the Refuge. The agreement was approved by the Board on December 1.

A large, 800 acre farm on Tyler Island will become managed, seasonal wetland habitat under a new conservation easement purchased jointly by Wildlife Conservation Board and the Natural Resources Conservation Service (February). The terms of the conservation easement prohibit commercial agriculture, although hunting will be allowed. The farm, with the conservation easement in place, was sold to Delta Habitat Land Company. Delta Habitat Land Company is to create the managed wetland habitat before December 31, 1999.

3. Conversion of Agricultural Lands in the Primary Zone to Other Uses.

Several subdivision and lot line adjustments were approved which fall within the minimum parcel sizes in agricultural zones. In addition, an existing 2.2 acre parcel in Sacramento County was legalized (August); a five acre parcel was created on Kimball Island (Sacramento County) (August); and one homesite parcel in Yolo County (July) and two in San Joaquin County were approved (April and September). In Yolo County, a proposal to divide 13 acres into nine lots was denied in August.

The South Sacramento Streams Investigation will result in a flood control project for urban areas which will increase flood flows into the Stone-Beach Lakes area of the Primary Zone. The purpose of the project is to provide 500 year flood protection for developed areas in the City and County of Sacramento (March; June). In the same area, the City of Sacramento received permission to rehabilitate and upgrade its sump pump which pumps water from Beach/Stone Lake Pump Station into the Sacramento River (June).

Two wastewater disposal projects in the Primary Zone were evaluated. Ironhouse Sanitary District, Contra Costa County, received approvals to apply up to 2.03 million gallons per day of treated wastewater on agricultural crops and pasture on Jersey Island (January). The City of Brentwood, Contra Costa County, approved a Negative Declaration which would send all of Brentwood's raw sewage (up to 10 million gallons per day) to Ironhouse Sanitary District for treatment and disposal on Jersey Island; the City has not yet decided if it will pursue this project (November).

Two additional projects in the Secondary Zone would release treated wastewater into the Primary Zone. The City of Brentwood, Contra Costa County, approved an Environmental Impact Report regarding expansion of the existing sewage treatment plant to 10 million gallons per day, and

release the tertiary-treated water into Marsh Creek which flows into Big Break in the Primary Zone; the City has not yet decided if it will pursue this project (November). The new town of Mountain House, San Joaquin County, received a use permit for a water treatment plant and a 6 million gallons per day wastewater treatment plant (September). The tertiary treated water would be released into Old River.

Two wineries were approved. The Marks Family received approval for a small winery in Sacramento County (August). In San Joaquin County, a large winery was approved for Sutter Home (July).

Two quarries were approved. The Smiley Sand Quarry was approved for removal of 17,000 cubic yards of sand in the Knightsen area of Contra Costa County (May). The Torlai Quarry was approved for removal of 560,000 cubic yards of sandy soil from Lower Roberts Island in San Joaquin County (December).

The closed landfill on Grand Island, Sacramento County, was capped with clay and sandy soil (March). The 12 acre landfill site operated from 1971 until 1979. The site is leased to Sacramento County by the U.S. Army Corps of Engineers.

Much activity associated with exploration and extraction of natural gas took place in 1998. Projects included exploration on Sherman and Decker islands (June), and six gas well drilling projects authorized by Solano County in the western Primary Zone.

4. Restoring Delta Habitat

The Commission staff has been actively participating in the San Francisco Estuary Project's Delta Work Group which has been developing a pilot project for protecting and enhancing Delta in channel islands. The group received a Category III grant from the CALFED project in 1997. In 1998, the group signed the contract for the funds, retained a staffer from Department of Water Resources to serve as project manager, released a Request for Qualifications, and selected a team to carry out Phase I of the project (design and permitting), and applied for funding for Phase II (construction and monitoring).

Some new habitat enhancement projects were approved in 1998. The Port of Sacramento developed a wetland enhancement project for its lands on Decker Island; the project is currently on hold. Wildlands Inc. received approvals to enhance Kimball Island, Sacramento County, for aquatic and riparian habitat and sell shares as a mitigation bank (March). Department of Water Resources received preliminary approvals for a project to place dredged materials on a shallow shoal near Sherman Island, Sacramento County, to recreate intertidal habitat (July).

The CALFED Category III program funded several habitat enhancement projects in the Primary Zone which are at various stages: the in-channel island pilot project is in pre-design; the Sherman Island shoal project is approved, but may be redesigned; a project to recreate tidal habitat on

Department of Fish and Game lands on Decker Island is in review; the Prospect Island project received funds to repair a levee in preparation for selection of a final project design; a project to repair erosion and replant riparian species along Georgiana Slough, Sacramento County, has been completed; project to speed accretion and revegetation in the flooded portions of Franks Tract is in pre-design; and Department of Fish and Game has received a grant for development of an enhancement project on Rhode Island.

5. Protecting Recreational Opportunities.

The Commission staff has continued to work with duck blind owners and the East Bay Regional Park District staff to protect the historic duck hunting activities on Big Break. The District acquired the eastern half of Big Break in 1995 and intends to acquire the western half shortly.

Under Proposition 204, two million dollars was made available for new public access and recreation projects in the Legal Delta. The Department of Parks and Recreation (DPR) will use one million dollars for projects in the Delta on DPR-owned lands. The other one million dollars was made available to local governments and non-profits in a grant process. The Department awarded half the funds to the East Bay Regional Park District for acquisition of a new park in the Secondary Zone, near Discovery Bay, in Contra Costa County. The other half was awarded to the Nature Conservancy for acquisition of McCormack Williamson Tract in Sacramento County.

The last and third report prepared using new data developed by the DPR under a contract with the Delta Protection Commission and the Department of Boating and Waterways was presented to the Commission in September. George Goldman, an economist with the University of California Cooperative Extension, and his associates used the recreational user survey data and a County input-output economic model to evaluate the cumulative economic impact of the boaters and anglers in the Delta. The report, titled "Economic Impact of Recreational Boating and Fishing in the Delta" was accepted by the Commission, is available for public distribution, and has been added to the Commission's web site on the Internet.

In November, the Commission voted to support a proposal made by the California Delta Chambers and Tourism Bureau to have the State consolidate the Delta in one tourism region, rather than be divided between three tourism regions. The Delta Chambers appreciated Commission support of its proposal and pledged to work with the Commission.

Two guest docks for public use were approved on the Sacramento River. The Kawahara Dock in Courtland, Sacramento County, was approved in June. The Walnut Grove Homeowners and Merchants Dock in Walnut Grove, Sacramento County, was approved in January.

Two marinas received permits for upgrades. Steamboaters Resort, Sacramento County, received a use permit in February. Snug Harbor, Solano County, received approvals in March, for renovation and enlargement.

6. Improving Levee Protection and Water Quality:

a. Emergency Planning:

In January, the Commission was briefed by Chuck Raysbrook, Director of Department of Boating and Waterways, on the new protocol to close Delta waterways in times of extremely high water. The development of the protocol was mandated in the Governor's FEAT report as a result of the 1997 flooding. The protocol designates the Department of Boating and Waterways as the entity to work with recreational boating interests on closure issues, and leaves the Coast Guard as the primary entity to address issues associated with commercial vessels on closure issues. The protocol for closure of the Delta waterways was submitted to the Office of Administrative Law for approval as regulations; approval of the regulations is expected in early 1999.

b. Levee Protection

The Commission staff has continued to participate in the Secretary for Resources' Delta Levees and Habitat Advisory Committee's meetings to coordinate and streamline permitting associated with Delta levee maintenance. The Committee helps provide oversight to the levee subventions program (SB 34, SB 1065, and AB 360). In addition to attending the meetings, Delta Protection Commission staff prepares meeting agendas and minutes, and maintains the mailing list.

Many levee repair projects were undertaken by the Corps of Engineers following the high water and flooding of 1998 storms. Most of the repair projects in the Legal Delta were located in San Joaquin County. These projects were completed in the late fall.

In April, the Corps and the Department of Water Resources approved construction of a one mile long levee test section on Sherman Island's western shoreline along the Sacramento River. The Corps of Engineers was to design and construct the levee test section to evaluate the effectiveness of the design to stabilize the levee. Implementation and monitoring of the project is intended to prevent future levee failures, reduce levee subsidence, and to control salinity intrusion into the interior of the Delta that could occur if the levee failed.

c. Water Quality

Staff prepared and presented to the Commission several updates on the Grasslands Bypass Project which redirects drain waters containing selenium, boron and other salts into the San Luis Drain. The updates included information from monthly reports circulated by the U.S. Bureau of Reclamation, San Francisco Estuary Institute, and the Central Valley Regional Water Quality Control Board, as well as from Grasslands Bypass Project Oversight Committee meetings which staff attended.

Several projects have been proposed which would result in the release of much additional treated wastewater into the waters of the Delta, including waters of the Primary Zone. In Contra Costa County, the City of Brentwood, approved an Environmental Impact Report regarding expansion of the existing sewage treatment plant to 10 million gallons per day, and release the tertiary-treated water into Marsh Creek which flows into Big Break in the Primary Zone; the City has not yet decided if it will pursue this project. The new town of Mountain House, San Joaquin County, received a use permit for a drinking water treatment plant and a 6 million gallons per day wastewater treatment plant. The tertiary treated water from the wastewater treatment plant would be released into Old River.

Legal Issues:

The Commission considered approval of a waiver presented by the Attorney General's Office to recognize that the Attorney General's office represents both the Commission and CALFED. The Commission asked for analysis of CALFED's status and authorities and how these could impact the Attorney General's representation of the Commission. Upon presentation of additional legal analysis and the implementation of an "ethical wall" within the Attorney General's office, the Commission agreed to accept and acknowledge the waiver.

In April 1995, Tri-TAC, a group of local governments and local wastewater treatment districts, submitted a request to Office of Administrative Law (OAL) concerning Utilities and Infrastructure Policy P-3 of the Commission's Land Use and Resource Management Plan. Tri-TAC believes Policy P-3 is a regulation and thus subject to the procedures of the OAL. In September, OAL sent Tri-TAC a notice of active consideration of the Tri-TAC request. The Commission submitted a response stating that Utilities and Infrastructure Policy P-3 was readopted as a regulation and approved by OAL on January 28, 1998. The Commission is currently awaiting a reply from OAL.

Actions Supporting the Goals of the Act:

1. Delta In-Channel Islands

The Commission continues to act as a sponsor for the San Francisco Estuary Project's regional meetings to forward the goals and programs of the Comprehensive Conservation and Management Plan for the Bay and Delta. The Delta work group has focused on protection and enhancement of Delta in-channel islands, the last remnants of historic Delta wetland habitat.

In 1997, the work group received notice that it would receive a Category III grant for phase one of the project--design, environmental review and permits. During 1998, the work group prepared and signed a contract for the grant, retained the services of a staff biologist from the Department of Water Resources to serve as project manager, prepared and circulated a Request for Qualifications for potential consultants, and selected a team of consultants.

2. Geographic Information System

The Commission continues to maintain and add to its geographic information system to monitor activities and land use changes in the Delta with the assistance of Teale Data Center, the Commission's contractor. Data has been shared with a number of agencies studying the Delta.

In addition, the Commission hosts a web site (<http://www.delta.ca.gov>) which makes available: meeting dates, Commission roster, annual reports, the Commission's Plan, other current reports, and maps of the Delta. A new service is the ability for the general public to order 24" by 36" maps of the Delta on the web site.

3. Monthly Pending Projects Memo

Staff prepares a monthly memo which lists and describes projects in the Delta area. Projects listed include projects in the Primary Zone, and projects in the Secondary Zone and near the Delta which could impact the Delta and its land uses. The memo is distributed to local planning departments and to other interested parties.

4. Monitoring the San Luis Drain and the Grasslands Bypass Project

Staff prepared and presented to the Commission several updates on the Grasslands Bypass Project which redirects drain waters containing selenium, boron and other salts into the San Luis Drain. The updates included information from monthly reports circulated by the U.S. Bureau of Reclamation, San Francisco Estuary Institute, and the Central Valley Regional Water Quality Control Board, as well as from Grasslands Bypass Project Oversight Committee meetings which staff attended.

5. Monitoring Pending State Legislation

Staff prepared and presented to the Commission monthly updates on pending legislation which would affect the Delta, or land uses in the Delta. Bills of particular interest included:

AB 254/SB 312: Safe Drinking Water, Clean Water, and Flood Prevention Act
SB 2: Parks and Recreation Improvement Bond Act
SB 1075: Delta Protection Commission (extension of sunset date to 2010)
AB 291: CALFED Bay-Delta Program
SB 1182: Farmland Security Zones

5. Monitoring CALFED Planning Process

The Commission received monthly updates on all aspects of the CALFED planning process. In March, Lester Snow, CALFED Director, and several CALFED staff members briefed the Commission on the CALFED planning process.

In May, the Commission considered and adopted comments on the CALFED Programmatic Draft Environmental Impact Report. The Commission's comments acknowledge the difficult task assigned to CALFED, but note the potential impacts to agriculture and recreation land uses in the Delta through the proposed restoration of extensive areas of aquatic habitat. The Commission commented in support of the proposed levee enhancement program.

The Commission continued to monitor the Ecosystem Restoration grant program funded by Proposition 204 and federal budget funds. Several briefing memos were presented to the Commission, and the Commission asked that a regular memo be presented monthly on the status of the Category III projects in the Delta.

To enable Commission review of proposed ecosystem restoration projects in the Delta, staff prepared a list of information and criteria to be used as a guideline for gathering information to present to the public and the Commission when CALFED staff requests public review of a proposed project. Public input will be forwarded to CALFED staff who will work with project proponents to ensure that valid issues raised at a public meeting will be addressed in the design and construction of proposed projects. The Commission reviewed and accepted the evaluation guidelines at its July meeting.

In July, the Commission was briefed on a series of "alternative" proposals for the CALFED Ecosystem Restoration Program in the Delta prepared by an ad hoc group of Delta interests including staff of the Commission, representatives of the North, Central, and South Delta Water Agencies, and the Natural Heritage Institute. The Commission held a public hearing on the memorandum; the proposal was subsequently presented to the Bay Delta Advisory Committee.

6. Raising Awareness of Exotic Species:

In November, the Commission was briefed on the Chinese mitten crabs, an exotic species native to China. Kathy Hieb, Department of Fish and Game, told the Commission that the number of captured crabs had increased to up to 25,000 per day at the Tracy pumps of the Central Valley Project. She identified environmental and health issues associated with the mitten crabs. Of particular concern is the proclivity of the crabs for burrowing into earthen levees. In the Delta, burrows 8" to 12" have been found.

Staff is also participating in the efforts of CALFED's Non-Native Invasive Species Technical Team, which is writing a Strategic Plan and Implementation Plan to direct proposal solicitations and designated actions dealing with exotic invasive species in the CALFED Solution Area, which includes the Delta.

Appeal of Local Government Decisions:

No local government decisions were appealed to the Commission in 1998.

Commission Members:

There were two changes to the Commission roster in 1998: Supervisor Ed Simas of San Joaquin County left the Commission and Supervisor George Barber rejoined the Commission. Supervisor Barber served on the Commission previously, and represents northern San Joaquin County. Donald Murphy, Director of the Department of Parks and Recreation, left State service. The Department's new director appointed Ron Brean, District Supervisor of the Gold Rush District, to serve on the Commission.

The officers of the Commission were Chairman Patrick N. McCarty, representing the South Delta Water Agency; and Vice Chairman Steven Mello, representing the North Delta Water Agency.

The Commissioners receive no compensation for their work on the Commission.

Subcommittees:

Budget, Finance and Administration Subcommittee: Chairman McCarty, Commissioners Ferreira, Calone, Salmon, and Yates.

CALFED Subcommittee: Vice Chair Mello, Commissioners Yates, Nottoli, and Curry.

Recreational Users Oversight Subcommittee: Commissioners Nottoli, Curry; Mervin Hee and Carolyn Doody, Department of Fish and Game; Judy Higley, Department of Water Resources; and Citizen representatives: Sally Shanks, Dave Smith, Chris Lauritzen, Steve Woodard, and Gil Labrie.

Status of the Commission's Loan from the Environmental License Plate Fund:

The Delta Protection Act of 1992 included a loan of \$250,000 from the Environmental License Plate Fund for costs incurred for organization and operation of the Commission. The loan was to be repaid by December 31, 1998. To repay the loan, the Commission has designated the funds from the 10% penalty assessment on fines imposed for violations in the Delta, and has asked that unexpended funds from the Commission's annual budget be allocated toward repayment of the original loan. Not all the unexpended funds were paid against the loan, however, the Commission has submitted a letter to the Secretary for Resources and Department of Finance stating it has attempted to repay the loan and meet its fiscal responsibilities to the best of its ability. The following funds have been unexpended and designated for repayment of the loan:

FY 94-95	\$49,500	Unexpended, returned to ELPF
FY 95-96	\$83,084	Unexpended, \$1,018 returned to ELPF; rest to other funds
FY 96-97	\$99,354	Unexpended, \$20,957 returned to ELPF; rest also to ELPF
FY 97-98	\$44,003	Unexpended, requested to be paid against ELPF loan
1/93-1/97	\$24,411	Fines collected, requested to be paid against ELPF loan
TOTAL	\$300,352	

Administration:

The Commission office is located in Walnut Grove, in Sacramento County. Margit Aramburu is the Executive Director, with Debra Eddy as full time support staff. Assistance was provided in 1998 by Environmental Services Intern Walter Kornichuck (January) and Environmental Services Intern Lori Clamurro (February through the end of the year).

Dan Siegel, Deputy Attorney General, with assistance from Carla Caruso and Christine Sproul, provided legal support for the Commission.

Operating expenses for the Commission averaged \$19,040 per month. The Commission received \$172,000 in FY 97-98 due to the sunset date of January 1, 1999. To fund the extension, an additional \$115,000 has been requested. The Commission is funded by three special funds: the Environmental License Plate Fund, the Delta Flood Fund and the Harbors and Watercraft Revolving Fund.

1998 COMMISSION ROSTER

Contra Costa County Board of Supervisors:

Supervisor Joe Canciamilla

Sacramento County Board of Supervisors:

Supervisor Don Nottoli

San Joaquin County Board of Supervisors:

Supervisor Ed Simas*

Supervisor George Barber

Solano County Board of Supervisors:

Supervisor Skip Thomson

Yolo County Board of Supervisors:

Supervisor Mike McGowan

Sacramento and Yolo County Cities:

Councilmember Christopher Cabaldon, City of West Sacramento

San Joaquin County Cities:

Councilmember Gloryanna Rhodes

Contra Costa and Solano County Cities:

Mayor Fred Harris, City of Rio Vista

North Delta Water Agency Reclamation District (two seats):

Darrell Ferreira, Grand Island

Steve Mello, Tyler Island, Vice Chair

West Delta Reclamation Districts:

Robert Calone, Winter Island

Central Delta Water Agency Reclamation Districts:

Patrick N. McCarty, Chairman

South Delta Water Agency Reclamation Districts:

Bill Salmon, Union Island

Department of Parks and Recreation:

Donald Murphy, Director*

Ron Brean, District Manager, Gold Rush District

Department of Fish and Game:

Ryan Broddrick, Chief Deputy Director

Department of Food and Agriculture:

A. J. Yates, Undersecretary

State Lands Commission:

Dwight Sanders, Chief, Division of Environmental Planning and Management

Department of Boating and Waterways:

Bill Curry, Senior Civil Engineer, Boating Facilities Division

Department of Water Resources:

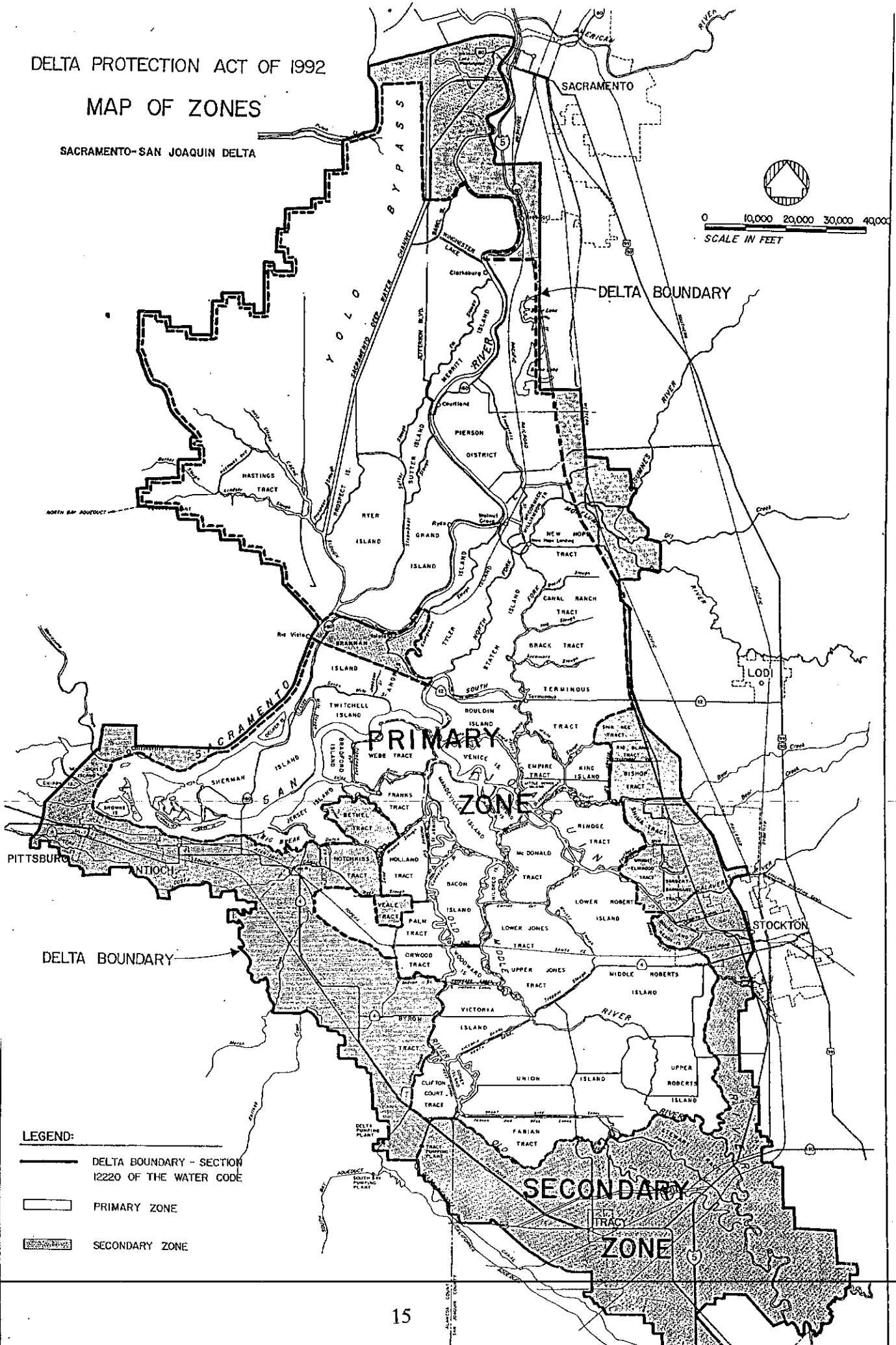
Robert Potter, Chief Deputy Director

* Indicates Commissioners no long serving on the Delta Protection Commission.

DELTA PROTECTION ACT OF 1992

MAP OF ZONES

SACRAMENTO-SAN JOAQUIN DELTA



LEGEND:

- DELTA BOUNDARY - SECTION 12220 OF THE WATER CODE
- PRIMARY ZONE
- SECONDARY ZONE

PROJECTS APPROVED by COUNTIES in the PRIMARY ZONE IN 1998

SUBDIVISIONS:

Project Title/Applicant	Location	County	Description	Approval Date
Ojai Ranch	Pierson District	Sac	1,780 ac into 3 parcels	Jun-98
Morgan Family Trust	Kimball Island	Sac	107 ac into 2 parcels	Aug-98
Mussi	Middle Roberts Island	San Joaquin	45.7 ac into 2 parcels	Apr-98
Dungan	Brack Tract	San Joaquin	151 ac into 2 parcels	Sep-98
P & R Almond Orchards	Terminous Tract	San Joaquin	776 ac into 3 parcels	Jan-98
Robinson	Middle Roberts Island	San Joaquin	108 ac into 2 parcels	Jul-98
Baldocchi	Knightesen	Contra Costa	91.7 ac into 9 parcels (Time Extension)	Mar-98
Bogle	RD 999	Solano	295 ac into 3 parcels	Jan-98
Martineli	RD 307	Yolo	180 ac into 2 parcels	Jul-98
Rose	RD 307	Yolo	23 ac into 3 parcels	Jul-98

RECREATION:

Kawahara	Courtland	Sac	200' Guest Dock	Jun-98
Homeowners and Merchants	Walnut Grove	Sac	250' Guest Dock	Jan-98
Steamboaters Resort	Grand Island	Sac	Use Permit (existing)	Feb-98
Snug Harbor Marina	Ryer Island	Solano	Use Permit/ Expansion of Marina	Mar-98

OTHER:

Incorporate New City	Oakley	Contra Costa		Nov-98
Smiley/Sand Quarry	Knightsen	Contra Costa	17,000 cu yd	May-98
Ironhouse Sanitary District	Jersey Island	Contra Costa	Up to 3 mgd on land	Jan-98
Brentwood Sewage to Ironhouse Sanitary District	Jersey Island	Contra Costa	Up to 10 mgd on land	Nov-98
Cap Landfill	Grand Island	Sac		Mar-98
Amend Zoning Code	Countywide	Sac	Allow wineries in Ag Zone	Jul-98
Marks Family	Andrus Island	Sac	Winery Use Permit	Aug-98
Rehabilitate Sump Pump	Freeport	Sac	Upgrade Outlet into River	Jun-98
Sutter Home	Brack Tract	San Joaquin	Winery Use Permit	Jul-98

Torlai/Sand Quarry	Lower Roberts Island	San Joaquin	560,00 cu yd	Dec-98
Amend Biosolids Ordinance	Primary Zone	Solano	Preclude Land Application	Mar-98

**Lands Acquired by Public Agencies and Non-Profit Groups
in the Primary Zone of the Delta 1998**

New Owner: U.S. Fish and Wildlife Service
Location: Stone Lakes Wildlife Refuge
Former Owner: Lewis Ranch
Size: 50 acres

New Owner: Delta Habitat Land Company
Location: Tyler Island
Former Owner: River Island Farms
Size: 800 ac

NOTE: Conservation Easement/Eliminate Commercial Agriculture acquired by Wildlife
Conservation Board & Natural Resource Conservation Service